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April 29, 2008

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MEMO ENDORSED

APR 29 2008

VIA FACSIMILE

Honorable Lawrence M. McKenna
 United States District Judge
 Daniel P. Moynihan
 United States Courthouse
 500 Pearl Street, Room 1640
 New York, New York 10007-1312

LAWRENCE M. McKENNA
 (USDC) SDNY

Re: *Providence Zumbo as administratrix of the Estate of John Zumbo also known as John D. Zumbo v. T and B Equipment Co., Inc. ("T&B") and Allen George Rothenberger ("Rothenberger")*
 Civ. No. 07 CV 6340 (LMM)

Dear Judge McKenna:

This office represents Plaintiff Providence Zumbo ("Plaintiff") in connection with the above referenced matter. I write pursuant to a telephone conference between counsel for Defendants Mr. John Horan, Esq. and Your Honor's Courtroom Deputy, Mr. Zafel regarding the progress of discovery which is scheduled to be completed by April 30, 2008.

The parties have been working diligently to complete discovery. Recently however, Mr. Horan suffered a loss in his family which caused a slight delay in obtaining remaining documents, an inspection of the tractor trailer and depositions. The parties therefore, respectfully request an additional 45 days to complete all discovery in this matter.

Thank you for your consideration of this application. If Your Honor has any questions, please feel free to contact me at the above listed number.

Respectfully submitted,

KURZMAN KARELSEN & FRANK, LLP

*Granted. So
 ordered.
 LEM 4/30/08*

[Signature]
 Joseph P. Tucker

JPT:sd

cc: John Edward Horan, Esq. (via facsimile)

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